



**UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/828,022	03/27/97	SAFFARIAN	A 70-96-005

BAKER & BOTTS  
2001 ROSS AVENUE  
DALLAS TX 75201-2980

MM51/0529

EXAMINER
WONG, D

ART UNIT	PAPER NUMBER
2876	

**DATE MAILED:** 05/29/98

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**



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DATE MAILED:

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

☐ This application has been examined. ☐ Responsive to communication filed on \_\_\_\_\_ ☐ This action is made final.  
A shortened statutory period for response to this action is set to expire THREE (3) month(s), --- days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input checked="" type="checkbox"/> Notice re Patent Drawing, PTO-948.        |
| 3. <input checked="" type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449.      | 4. <input type="checkbox"/> Notice of informal Patent Application, Form PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474.     | 6. <input type="checkbox"/> _____  |

Part II SUMMARY OF ACTION

1. ☒ Claim(s) 1-26 are pending in the application.  
Of the above, claim(s) \_\_\_\_\_ is withdrawn from consideration.
2. ☐ Claim(s) \_\_\_\_\_ has been canceled.
3. ☐ Claim(s) \_\_\_\_\_ is allowed.
4. ☒ Claim(s) 1-26 are rejected.
5. ☐ Claim(s) \_\_\_\_\_ is objected to.
6. ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawing(s) under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawing(s) are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on \_\_\_\_\_ . Under 37 C.F.R. 1.84 these drawings are ☐ acceptable. ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_ has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction(s), filed on \_\_\_\_\_ , has been ☐ approved. ☐ disapproved (see explanation).
12. ☐ Acknowledgment is made of the claim for priority under 35 USC 119. The certified copy has ☐ been received ☐ not been received  
☐ been filed in parent application, serial no. \_\_\_\_\_ ; filed on \_\_\_\_\_
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. Other \_\_\_\_\_

EXAMINER'S ACTION

*Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

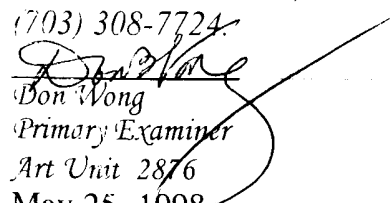
2. Claims 1-26 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Duck (5,440,106). Like the claimed invention, Duck teaches an automated check encoding system to be used at the point-of-sale.

*Correspondence*

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Primary Examiner Don Wong whose telephone number is (703) 308-4856.

4. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0956.

5. Papers related to Technology Center 2800 applications **only** may be submitted to Technology Center 2800 by facsimile transmission. Any transmission not to be considered an official response must be clearly marked "DRAFT". The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The Technology Center Fax Center number is (703) 308-7722 or (703) 308-7724.

  
Don Wong  
Primary Examiner  
Art Unit 2876  
May 25, 1998